

**Preliminary Amendment of U.S. National Stage for International Application
PCT/EP98/07057 filed November 5, 1998**

wherein the hypocholesteremic preparation further comprises a chitosan selected from low-molecular weight chitosans and high-molecular weight chitosans.--

¹⁹
--¹⁷29. (New) The hypocholesteremic preparation according to claim ¹⁷21,

AB wherein the hypocholesteremic preparation is encapsulated in gelatin, whereby a gelatin capsule is provided.--

²⁰
--¹⁸30. (New) The method according to claim ¹⁸28, wherein the at least one

phytostenol ester is present in an amount of from about 0.1 to about 50% by weight, based on the total weight of the gelatin capsule.--

Please cancel claims 1-10, without prejudice.

REMARKS

Claims 11-30 are currently pending in the instant application.

The Specification has been amended to include the preferred section headings pursuant to 37 C.F.R. §1.77. An Abstract of the Disclosure has been added on a separate sheet following the claims. It is submitted that the amendments to the Specification made herein introduce no new matter. Their entry is therefore proper and respectfully requested.

Original claims 1-10 have been canceled and replaced with new claims 11-30 in order to remove multiple dependencies and to place the claims in more proper U.S. format for examination. New claims 11-30 are supported by the claims as originally filed and in the Specification, for example, at page 2, line 15, through page 4, line 6; at page 6, lines 2-7; at page 7, line 35, through page 8, line 29; and in the Examples. No new matter has been introduced. Entry is therefore proper and respectfully requested.

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Prompt examination of the instant application in view of the amendments made
herein is respectfully requested.

Respectfully submitted,

BERND FABRY

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(Date)

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